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February 18, 2010

DOCKET	
09-AFC-9	
DATE	<u>FEB 18 2010</u>
RECD.	<u>FEB 22 2010</u>

California Energy Commission
Attn: Docket No. 09AFC9
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

Re: 09-AFC-9 Ridgecrest Solar Power Project

Dear Docket Clerk:

Enclosed are an original and one copy of California Unions for Reliable Energy Issues Statement One. Please process the document and provided us with a conformed copy in the envelope enclosed.

Thank you.

Sincerely,

/s/

Bonnie A. Heeley
Administrative Assistant

:bh
Enclosures

STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:

The Application for Certification for the
Ridgecrest Solar Power Plant Project

Docket No. 09-AFC-9

**CALIFORNIA UNIONS FOR RELIABLE ENERGY
ISSUES STATEMENT ONE**

February 18, 2010

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Attorneys for the CALIFORNIA
UNIONS FOR RELIABLE ENERGY

California Unions for Reliable Energy (“CURE”) submits this issues statement pursuant to the Committee’s February 11, 2010 Notice of Mandatory Status Conference. The Committee’s notice requires parties to state whether compliance with the expected deadlines may be in question and to recommend reasonable solutions to ensure compliance with the schedule.

The Committee Scheduling Order sets March 3, 2010 as the expected date of publication for the Staff Assessment. However, the Applicant has since changed the Project design and expects to submit revised plans in early March. Thus, the current schedule does not provide an adequate opportunity for the parties to evaluate the revised Project.

Failing adequate analysis and mitigation, this Project will result in a significant loss of uniquely valuable desert habitat. The Project site supports one of the highest densities of Desert tortoise in the State. The Project site may also provide habitat linkage to two populations of the State-listed Mohave ground squirrel. According to statements made by the California Department of Fish and Game at the January 5, 2010 informational hearing, this Project is among those for which identification of adequate mitigation may be exceptionally difficult. Simply put, this Project is among the most controversial projects before the Commission.

CURE recommends that the schedule be modified to enable the parties to review the Applicant's revised project plans and conduct any necessary discovery in light of the following changes:

1. El Paso Wash Impact Avoidance and Revised Drainage Plan

The Applicant stated that it has revised the Project to address significant impacts to the El Paso Wash, a major wash system that transverses the project site and which currently provides habitat for the Mojave ground squirrel, the Desert tortoise, and other wildlife. The Applicant expects to submit a revised drainage plan either on February 24 or on March 5. The Applicant also expects to submit a Biological Assessment to USFWS on March 1, 2010. These documents will provide information regarding the Project description and downstream impacts of the reconfigured desert wash system on wildlife habitat and the Desert tortoise in particular.

2. Delay in the Identification of Compensation Lands

The Applicant has not yet submitted its habitat mitigation monitoring plan. This information was expected on February 12, 2010.

In keeping with existing review periods, CURE recommends that the date of publication of the Staff Assessment should be set for at least three weeks following the Applicant's submission of the habitat mitigation monitoring plan and revised Project submittals.

Dated: February 18, 2010

Respectfully submitted,

/s/

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**DECLARATION OF SERVICE
RIDGECREST SOLAR POWER PROJECT
Docket No. 09-AFC-9**

I, Bonnie Heeley, declare that on February 18, 2010, I served and filed copies of the attached **CALIFORNIA UNIONS FOR RELIABLE ENERGY ISSUES STATEMENT ONE** dated February 18, 2010. The original document, filed with the Docket Office, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: http://www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest/Ridgecrest_POS.pdf.

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Office via email and U.S. Mail as addressed below.

I declare under penalty of perjury that the foregoing is true and correct. Executed at South San Francisco, CA on February 18, 2010.

_____/s/_____
Bonnie Heeley

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